

From: Michael Beam  
5227 Scots Glen Drive  
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(804) 527-3424

June 16, 2012

To: Clerk of the Bankruptcy Court  
United States Bankruptcy Court  
701 East Broad Street – Room 4000  
Richmond, Virginia 23219

FILED  
2012 JUN 22 PM 12:33  
RICHMOND DIVISION

**Response to :**

**“Notice of Liquidating Trust’s Thirty-Fifth Omnibus Objection to Claims: Reduction of certain partially invalid claims, fixing of certain unliquidated claims, or disallowance of certain invalid claims, as applicable (Phantom Stock Program)”**

**Status Hearing to be held 2:00 p.m. (Eastern Time) on July 10, 2012 – Courtroom 5000**

a) caption:

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In Re:

Circuit City Stores, Inc., et. al., (Debtors) Chapter 11  
Case No. 08-35653 (KRH)

**Response to :**

**“Notice of Liquidating Trust’s Thirty-Fifth Omnibus Objection to Claims: Reduction of certain partially invalid claims, fixing of certain unliquidated claims, or disallowance of certain invalid claims, as applicable (Phantom Stock Program) – Claim #6023**

b) claimant information:

Michael W. Beam      Claim # 6023  
Claim Amount      \$2,381.25 USD

c) concise statement of relevant facts:

- The objection states that Claim # 6023 should be reduced to \$476.25. This reduction is being made by calculating the 2nd vesting date of this program based on change of control of the company as defined in section (iii) of that definition which states that the change of control occurs when the sale of substantially all of Circuit City’s assets has been completed. This date was March 8, 2009.
- However, the “Change of Control” definition also is defined in section (iv) of the same paragraph which reads as follows “...the consummation of a **plan** of complete liquidation, dissolution, or sale of substantially all assets of the company. I submit that this **plan to liquidate** the company was adopted on January 9<sup>th</sup>, 2009, as indicated in my original claim paperwork. By this definition, the remainder of this program should have vested on 1/9/09 (closing stock price of \$.31/share) rather than 3/8/09 as stated in the objection. My original claim amount of \$2381.25 should remain based on this conclusion.

- I am unable to attend the status hearing in person on July 10<sup>th</sup>. I would welcome the opportunity to participate in this hearing via teleconference, an option which was offered to me during my last appearance before this court. Please contact me with the necessary information if this is possible.

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d) No additional paperwork is being submitted other than this objection response.  
e) declaration of person with personal knowledge: previously submitted and reviewed in court on March 22, 2011

f) claimant contact information

Michael W. Beam  
5227 Scotsglen Drive  
Glen Allen, VA 23059  
(804) 527-3424

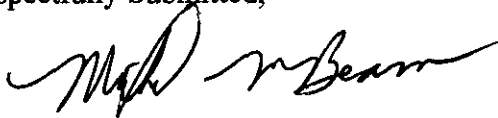
NOTE: Claimant address is the notice address.

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g) representative of claimant  
same as claimant above

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Respectfully Submitted,



Michael W. Beam

June 16, 2012

Cc:

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